

CHOCTAW NATION SUES THE KATY

Wants Right-of-Way and Station Grounds Paid For.

"If the Katy railroad owns Muskogee," asks the Muskogee Times, "who owns the Katy railroad in the Choctaw nation?"

There comes up in the courts of the Central district at Atoka today a suit against the M. K. & T. railroad that is of considerable interest to the public and a good deal more than that to the railroad and the Choctaw nation.

The Choctaw nation has sued the Katy for the value of the right-of-way and all station grounds used by that road in the Choctaw nation. This suit involves a good big trial, and there are a great many witnesses, records and other evidence that will be brought up in court. For instance, the Dawes commission has been called upon to show all its official correspondence relative to the land in question, and why the land thus used has been withheld from allotment. This means a lot of work. The general attorney for the M. K. & T. in Indian Territory has gone to Atoka to appear in the case.

From the best information obtainable at this time, it seems that the Choctaw has never been paid by anyone for the right-of-way that the Katy has used through that nation. Why this is so, the attorneys for the Choctaw and Chickasaw nations are trying to find out.

Government grants will doubtless be set up by the railroad, but it is understood that the Creek nation forced a settlement with the railroad and the Choctaws want one.

When the Katy built through Indian Territory they had trouble getting right-of-way through the Cherokee nation, and the line of road shows what was done. As soon as the survey reached the northern border of the Creek nation it shifted over the line three miles and ran down on the Creek instead of the Cherokee side as was originally intended. To this fact Muskogee doubtless owes her existence. The Katy would have gone to Fort Gibson.

The M. K. & T. has about 130 miles of right-of-way in the Choctaw nation. In addition to this is all the land that has been used for station grounds, terminals, etc.

In the allotment of lands the Dawes commission has not allotted any land claimed by the railroad where actually in possession and using the same. It is not known what the authority for this is, but it is understood that no allottee has ever asked for the land as a part of an allotment, because, perhaps, he did not want to take a lawsuit against a railroad as a part of his allotment.

A great deal of the original right-of-way is not now used by the railroad for that purpose, having been abandoned on account of straightening out tracks. But this land is still claimed and held by the Katy. All new land acquired since 1890 has been secured under condemnation, and such land is not in contest.

The suit promises to be a long drawn out affair, and will likely cost the railroad a lot of money.

In the Federal Court.

In the United States court today the civil docket was called before Judge Lawrence. There are fifteen cases to be disposed of during the week. This forenoon attorneys were arguing a motion for the plaintiff for a judgment on the pleadings in the case of Grant Lochner vs. Martha Gabriela et al. This is an action for the possession of an allotment.

Settling Damage Cases.

George Lee, adjutor for the Frisco railway was here Monday to settle with parties who were injured in the wreck at White Oak, which occurred a few months ago. No settlement was made, however, and we understand that if a suit is brought it will be in a Texas court.

Arrested on the Train.

Deputy Ike Gilttrap Monday brought in M. G. Stockstill, charged with introducing. The arrest was made on a Frisco passenger train coming this way from Seneca. Stockstill was taken to Pryor Creek for hearing before a United States commissioner.

Water at 450 Feet.

John Swain has struck a flow of artesian water on his residence lot at a depth of 450 feet, with good indications of oil. The people are anxiously awaiting results as they know when Mr. Swain goes after anything he usually gets it.

Land Office Bulletin.

Tahlequah, I. T.

Total number of cards issued to Monday noon.....14629
Total number filed to Monday noon.....24900
Card on call.....1614
Fullblood tickets issued.....1817
Number filed Saturday.....99
Number filed up to noon Monday.....40

Take Prisoners to Nowata.

Marshal Darrough and Deputy Len Connor, with two guards took five prisoners to Nowata Sunday to be tried in Judge Lawrence's court there this week.

In Federal Jail.

Deputy Long brought the following prisoners from Tahlequah Sunday: Jackson Redbird, larceny and receiving stolen property; September Mose and One Mose, introducing and selling; Sam Keys, grand larceny; Abraham Mose, introducing and selling.

Sunday Outing.

A number of young people drove to the Cabin Creek woods five miles south of town and enjoyed a Sunday picnic Sunday. Those who went were: Misses Myrtle Tucker, May Bluejacket, Agnes Foster, Madge King, Messrs Lige Hinderson, Ferd Etter and Joe Flint.

Accept His Resignation.

At a congregational meeting of the Presbyterian church Monday night the resignation of Rev. J. S. Stubblefield was accepted. Mr. Stubblefield resigned to go to Kansas City, Kans. to take the pastorate of the Central Presbyterian church. As yet the local church has taken no action toward getting a new pastor. Mr. Stubblefield will preach his farewell sermon next Sunday.

Revival Meetings.

Rev. B. J. Waugh, of Texas, will begin a series of meetings in the Christian church of this city on Friday night of this week. Rev. Waugh is a good preacher and a successful evangelist. Recently he closed a three weeks' meeting at Chickasha with 64 additions to the church, and on last Sunday night closed a four weeks' meeting at Ardmore with 118 additions. Be sure to hear him when he comes.

Married White Man-Fashion?

A license to wed was Tuesday issued to Lee Coningdear and Nancy Davis, both fullblood Indians. Although Lee and Nancy had been living together for several years, according to Indian custom, and have a number of children, they had never been married in accordance with the statutes of the United States. Several friends accompanied the couple to the clerk's office, where a license was procured and they were married according to the laws of the white man. Neither of the parties could speak a word of English.

Should Have an Orchestra.

Why have we no orchestra? This question is heard at most all social gatherings. Probably there is no town the size of Vinita in the territory but has some kind of musical organization. We have neither band nor orchestra. There is also no town in the territory where there are more able individual musicians than here. An orchestra could be organized that would be a credit to any city. Why not get together and organize. Mr. Annis says if the young men of the city wish to they are welcome to practice at his music store.

Missed Their Train.

As the flyer started to leave the M. K. & T. depot last Monday an aged man and woman were seen hurrying along the Frisco track toward the train. They reached one of the sleepers just as the train began to move, but they could not get the door open at that end of the car and started for the other. Seeing they could not catch the car, the old gentleman began waving his hat for the conductor to wait for them, but that worthy simply signalled the engineer to go ahead, leaving the two hapless old people on the platform.

Three Joe Thompsons.

Joseph L. Thompson, a prominent farmer and ex-member of council from Delaware district, is here trying to wedge in on fractions. This Joseph Thompson is closely related to Rev. Joseph F. Thompson and Dr. Joseph Thompson, of this city. They are all named after the original Joe Thompson and their middle names all distinguish them. The father of Joseph L. Thompson and the father Rev. Joe Thompson were brothers and their mothers were sisters. Dr. Joe Thompson is a nephew of Rev. Joe Thompson. To better distinguish them the three are commonly referred to as Rev. Joe, Dr. Joe and Delaware Joe.—Tahlequah Leader.

MUCH REVELRY IN GRAFTDOM

Lease Fakors and Freedmen Filers Hold High Carnival.

The Grafters' Banquet last night came off promptly at 8:30 at the cafe of Harry Osborn, the popular restaurant man.

W. P. Thompson, of Vinita, was toastmaster and filled the position to satisfaction.

The table was loaded with the best things to suit the palate of a connoisseur.

W. W. Hastings was the first man interrupted in the enjoyment of his menu, and he responded to the toast, "Grafters and Grafting." Mr. Hastings remarked that he was satisfied no grafter would undertake to take an allottee away from another grafter as they were all honest.

E. B. Lawson, of Nowata, was the second to respond to the toast, "Oil and Gas Grafting," and made a good talk. Mr. Lawson is one of the best attorneys in the Cherokee Nation and a fluent speaker.

Mr. Butte was next: "The Woes of a Grafter from Department Regulation."

John Bullette followed with "The Delaware Graft." He remarked that he was trying to make "an honest dollar," but that it was a secret; but if he stayed in Tahlequah twelve hours longer, he was satisfied that his friend, Lee Comer, would discover his secret, and would therefore leave on the first train.

C. King, of Lenapah, was next and responded to "The Freedman Graft." Spi Trent was called upon to respond to the toast, "The Ladies." He arose and remarked that he could tell to the ladies one at a time, but begged to be excused from making any remarks in the presence of so many grafters.

Mr. Purcell was next and responded to the toast, "The Ladies."

Ernie Flippin was called upon to respond to the toast, "Freedmen Graft," but pled guilty and said he would pay his fine.

W. P. Thompson made an excellent toastmaster.

Those present were: John Bullette, E. B. Lawson, W. P. Thompson, G. C. Butte, Frank Shufeldt and Miss Maggie Payne, J. F. Flippin and Miss Jennie Henge, E. B. McNair and Miss Mosser, Cullis Mayes and Miss Lella Morgan, John Ingram, Mr. and Mrs. H. M. Morgan, Mr. and Mrs. Henry Starr, Mr. and Mrs. G. B. Smith, Mr. and Mrs. B. Lee Comer, Mr. and Mrs. W. W. Hastings, C. King and Mrs. Viola Camp, Martin Rowe and Miss Mand Blair, J. Slater Davidson, J. T. Atteberry, J. E. Trent and Miss Lorena Stapler, W. A. Musgrove and Miss Jennie Ross, Carl Purcell, Dennis B. McNair and Mrs. Shackelford, Owen McNair and Miss Callie McNair.—Tahlequah Leader.

PREVENTED CHURCH FIRE

Prompt Action of Fire Department Checks Flames.

About 9:30 Sunday morning the Congregational church caught fire from a fire. The alarm was promptly turned in and before the whistle stopped blowing the fire department was on its way full speed to the fire. The fire in the stove was extinguished. The ladders were placed on the side of the building and the nozzles taken to the top. The full pressure of water soon put the flames out. No damage was done to the building except where the firemen cut a hole in the roof so that the fire could be played upon more easily. This is the season when fires may be expected on account of the pitting up of stoves and use of faulty flues.

Although the city has been very fortunate in regard to fires, yesterday morning's experience should hasten the building of the house for the fire department so that the boys and horses may be more skillfully trained to handle the fire apparatus. Had the fire got a start yesterday it might have proven very disastrous. Will the strong south wind that was blowing the Western Hotel block would have been greatly endangered.

Quick Meal Ranges at Frazier's. 313

FARMING BY INOCULATION.

Full Instructions Sent by the Government with Every Package of Germs.

A portion of inoculating material as it is mailed to the farmer by the government consists of three different packages, writes Gilbert H. Grosvenor, in "Inoculating the Ground," in the Century. Package No. 2 contains the cotton with its millions of dried germs. Packages 1 and 3 are the media or food by means of which the farmer can multiply the germs. The department incloses explicit instructions how to use the bacteria, as follows:

DIRECTIONS FOR USING INOCULATING MATERIAL.
(Method patented in order to guarantee the privilege of use by the public. Letters Patent No. 755,519, granted March 22, 1904.)

Put one gallon of clean water (preferably rain water) in a clean tub or bucket and add No. 1 of the inclosed package of salts (containing granulated sugar, potassium phosphate and magnesium sulphate). Stir occasionally until all is dissolved.

Carefully open package No. 2 (containing bacteria) and drop the inclosed cotton into the solution. Cover the tub with a paper to protect from dust, and set aside in a warm place for 24 hours. Do not heat the solution or you will kill the bacteria—it should never be warmer than blood heat.

After 24 hours add the contents of package No. 3 (containing ammonium phosphate). Within 20 hours more the solution will have a cloudy appearance, and is ready for use. To inoculate seed:

Take just enough of the solution to thoroughly moisten the seed. Stir thoroughly so that all the seeds are touched by the solution. Spread out the seeds in a shady place until they are perfectly dry, and plant at the usual time just as you would untreated seed. The dry cultures as sent from the laboratory will keep for several months. Do not prepare the liquid culture more than two or three days previous to the time when the seeds are to be treated, as the solution once made up must usually be used at the end of 48 hours.

To inoculate soil:

Take enough dry earth so that the solution will merely moisten it. Mix thoroughly, so that all the particles of soil are moistened. Thoroughly mix this earth with four or five times as much, say half a wagonload. Spread this inoculated soil thinly and evenly over the field exactly as if spreading fertilizer. This should be done just before plowing or else the inoculated soil should be harrowed in immediately.

Either of the above methods may be used, as may be most convenient.

Enough germs are sent in each little package to inoculate seeds for from one to four acres. The package can be carried in your pocket, and yet does more work than several cartloads of fertilizer. It costs the government less than four cents a cake, or less than a cent an acre, and saves the farmer \$30 or \$40, which he would have to spend for an equal amount of fertilizer. Different cultures are sent for different crops. The results have been surprising.

BROUGHT IT UPON HIMSELF.

Lazy Husband's Comparison Turned to Good Account by Quick-Witted Wife.

"When a man gets married," exclaimed the man who could get the medal for laziness in any competition, according to a humorous exchange, "he might just as well make up his mind to work like a dog all the rest of his life."

His wife looked at him with an expression of mingled grief and surprise. After a thoughtful pause she said quietly:

"Henry, I wish you would step out here on the porch for a minute if you're not too tired to move so far."

He languidly obeyed, and as he stood on the threshold inquired:

"What do you want? It's too warm to split wood."

"I don't want you to perform any labor. You said something about having to work like a dog because you got married."

"Yes," he replied resolutely, "I did."

"Well, for once it is my esteemed privilege to agree with you. I want you to cast your eye on this liver-colored setter you bought last week with the money that ought to have gone on a good coat for having the roof painted. He's fast asleep, as he has been for the past three hours. There isn't anything that will stir him up except to offer him something to eat, and even if you do that he'll open one eye and see whether he likes it or not before he will take the trouble to come and get it. Once in awhile he will get up enough energy to go hunting, but when he does he seldom, if ever, gets any results worth speaking of. I wouldn't have made the comparison for anything, Henry; for, with all your shortcomings, I like you. But as long as you brought it up yourself I thought it might not do any harm to call your attention to the fact that about all that liver-colored setter does is to take naps and be waited on."

—Did any ever refuse you?

Rodney—Yes. Not long ago I proposed to one, and she told me she wanted a husband who was younger, richer, more stylish and better looking.—Did any ever refuse you?

BOYNTON CRAFT INVESTIGATION

Reputed Member of Dawes Commission Owned Lots.

The Kansas City Journal prints a sensational Washington story of alleged crookedness in a Creek towns site case, as follows:

The Finley and other interests in the Boynton towns site squabble have been denied further time in which to introduce further testimony bearing on the Creek towns site controversy.

Not long ago an extension of fifteen days was allowed by the Interior department for this purpose, but upon failure of the interested parties to take advantage of the courtesy, Secretary Hitchcock has requested that the case be taken up and disposed of as soon as possible.

The case is important for the reason that it involves questions that have been up time and again, but never definitely settled by the Interior department. Several other phases have been added to the interest of the matter, most important: The report that Chairman Bixby, of the Dawes commission, was a holder of fifteen lots in the place, and that it was with much difficulty he succeeded in getting from the commission a unanimous report in favor of a "government towns site at this point."

All the more amazing is this story when one considers the reported authority for the above statement. It is difficult to conceive that a brother commissioner uttered such words, but such is a fact if information received at the Indian office is reliable.

That the first report of the Dawes commission stood two to one against the proposition of making Boynton a government towns site, and that Chairman Bixby's was the minority report, has already been told, as has the fact that Commissioner Jones, of the Indian office, also refused to affirm the commission's decision. It is said that Mr. Jones' action of transferring the whole matter to Secretary Hitchcock direct was little less than washing his hands of the whole matter.

Although Commissioner Jones has never intimated as much, it is a fact that he never cares to discuss the subject with newspaper men. "That matter is now in the hands of the secretary," he will say, and that's about all that one will get out of him when the Boynton muddle is broached.

More Evidence of Gas.

This morning one of our townsmen went to the Warren artesian well in the south part of town and while there, thought he would see if that well would burn as the other wells in the city do. He struck a match and held it over the well. The burning gas flamed up about six or seven feet. The gentleman's face was almost blistered before he could get out of the way. His hair and eye brows were singed so that he won't forget the incident for a few days anyway.

VINITA'S FAIR WANDERERS

See Some Funny People at the "Biggest Show on Earth."

Of course, to one will undertake to prepare a census of all the funny people. No one will even attempt to count the men who wear celluloid collars, or those who get mad at the slot weighing machine for refusing to say more than three words for five cents. The placard on each of these machines says: "I speak your weight." It merely says, "one-hundred-fifty-five," his voice on the inside steadfastly refusing to engage in further conversation. Even John thought the machine "might give a little more talk for five cents."

Then there is the man with the ubiquitous umbrella. He brought it with him to the Fair and, of course, he must carry it with him everywhere, rain or shine, and wherever he goes he uses it to point out objects of interest. Now, it is alright to poke a big red, yellow and green polka-dot in the Honduras building. All he can do is to squawk, profanity and yell "shut up!" But when it comes to poking at \$100 vases in the Japanese section, or at the porcelain wares in the German section, it is a different matter. One fellow with a 60-cent umbrella damaged a \$200 Rockwood lamp in the Varied Industries building the other day.

The woman who doesn't know how to step into a boat is also here. A party of five were capsized and thrown into the lagoon the other day because one of them stepped on the edge of the boat instead of in the bottom. The whole bunch was fished out of the lagoon by bystanders.

One of the interesting sights in the Varied Industries building is the procession that lines up around the altar of roses fountain in the Bulgarian section, each one with handkerchief ready to hold under the drippings from the fount. Making star of roses is a great industry in Bulgaria, and this fount is intended to illustrate the bountiful richness of the country's product. The sculptural part of the fountain represents the struggle between Turkey and all races once under Turkish oppression. The roses from which the altar of roses is made grow in great luxuriance in the valleys of the Balkans, the soil and climate being peculiarly adapted to the growing of roses that are rich in the oil that gives them their odor.

Equally interesting are the men who line up in front of a hole in one of the booths from which air is escaping, and which they find will brush their hats clean. Each one holds his hat against it until it is thoroughly brushed, and goes away happy in the satisfaction that there is no colored man nearly to demand a tip. It is only a feature of an exhibit which illustrates the dustless method of cleaning carpets and furniture by sending compressed air through them by means of a hose attached to the pumping apparatus that stands out in the street.

Mus.

REAL ESTATE TRANSACTIONS

Recorded in the Office of the Clerk of the Second Recording District at Vinita, Indian Territory.

WARRANTY DEEDS.

Lawrence Ross to E. B. Frayser, \$1,000.00. Sec 13, tp 24, r 20n, se-se 1/4 sec 13, tp 25, r 20, s 20n.

Tobe Johnson to E. B. Frayser, \$1,000.00. Sec 18, tp 24, r 20, and ne-se 1/4 sec 18, tp 24, r 21, s 21n.

Patsy Johnson to Farley & Skinner, \$1,000.00. Sec 22, tp 24, r 18, and sw-se 1/4 sec 22, tp 24, r 18, s 21n.

Tobe Johnson to Farley Frayser, \$1,000.00. Sec 20, tp 27, r 20, and nw-se 1/4 sec 20, tp 27, r 20, s 21n.

Patsy Johnson to Farley & Frayser, \$1,000.00. Sec 20, tp 27, r 20, and nw-se 1/4 sec 20, tp 27, r 20, s 21n.

Real Estate Transfers.

H. C. Pittenger has sold lot 3 block 78 to H. C. Berkland for \$800.00 cash.

Sam Frazier has sold lot 19 block 24 to Mrs. Florence Deck for \$1800.00 cash.

The above deals were made by T. K. Englehart since Oct. 1.

Edmond Bridge, of Indiana, has bought the W. J. Davenport property, lot 1 block 50 for \$400.

Court Adjourned.

The October term of the Federal court adjourned Saturday so far as jury trials are concerned, and all other cases pending at this time will be heard in chambers. The jury was discharged Friday afternoon. The grand jury returned two hundred and fifteen indictments. Judge Lawrence began the regular fall term of court at Nowata last Monday. Judge Gill's time will be occupied in chambers for some time.

MEDICAL EXAMINING BOARD

Next Meeting for Northern District Will be Held at Vinita, Nov. 2-3.

The next meeting of this board will be held at the United States court house at Vinita, November 2 and 3.

Non-residents, except those practicing in the Territory, will not be registered.

Those holding diplomas from colleges belonging to either of the American Associations of Colleges are entitled registration without examination, on payment of the following fees: Board, \$1; clerk, \$1.50; notary, 50c.

Under-graduates and graduates from non-associated colleges may be registered upon satisfactory examination and payment of the examination fee of \$10, in addition to the fees of the clerk and notary.

Bring your diploma with you, and a certificate of good moral character and honorable professional standing, signed by at least three reputable citizens of your neighborhood.

W. L. McWilliams, Pres.

B. F. FORTNER, Secretary.

J. C. BURNHAM.

Saw Big Fight.

Frank Burkhalter returned from St. Louis Sunday. While there Mr. Burkhalter saw the big fight between the detectives and the Morris gang of train robbers, in which three men were killed outright and another has died since.